

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

RICHARD NEWMAN and ANN  
NEWMAN, H/W, on behalf of themselves  
and all others similarly situated,

plaintiffs,

v.

GEM RECOVERY SYSTEMS, LLC,

defendant.

Case No. 06 CV 1007 (WHW)

**STIPULATION OF DISMISSAL**

Plaintiffs Richard Newman and Ann Newman and defendant Awar Holdings, Inc. d/b/a Gem Recovery Systems, by their undersigned counsel, hereby stipulate and agree, pursuant to Fed.R.Civ.P. 41(a), as follows:

1. No class has been certified in this action pursuant to Fed.R.Civ.P. 23.
2. This action is dismissed with prejudice and without costs.

Dated: September 6, 2007

**FRANCIS & MAILMAN, PC**  
*Counsel to Plaintiffs*

**SEIDMAN & PINCUS, LLC**  
*Counsel to Defendant*

By: /s/ John Soumilas  
John Soumilas  
100 South Broad Street, 19<sup>th</sup> Floor  
Philadelphia, Pennsylvania 19110  
(215) 735-8600

By: /s/ Andrew Pincus  
Andrew Pincus (AP9295)  
777 Terrace Avenue, 5<sup>th</sup> Floor  
Hasbrouck Heights, New Jersey 07604  
(201) 473-0047